

Sixth Appellate District

San Jose, California

MONDAY, DECEMBER 8, 2003

H024137 PEOPLE v. WILRIDGE

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed December 8, 2003

H023576 PEOPLE v. GABOT

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Elia, J., Mihara, J.)
Filed December 8, 2003

H025175 SMITH, et al. v. MONTEREY HIGH SCHOOL, et al.

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Rushing, P.J., Wunderlich, J.)
Filed December 8, 2003

H026132 PEOPLE v. FONTENETTE

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)
Filed December 8, 2003

H025009 PEOPLE v. SUPERIOR COURT; KIRBY

The petition is denied. (published)
(Mihara, J.; We concur: Rushing, P.J., Elia, J.)
Filed December 8, 2003

H023781 PEOPLE v. MYINT

The judgment is modified to reflect that the sentence on
count 2 is stayed pursuant to section 654. As so modified, the
judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Mihara, J.)
Filed December 8, 2003

H025712 In re DELILIAH B.; D.F.C.S. v. MONICA S.

H026474 In re MONICA S. on Habeas Corpus

By the Court*:

Appellant's petition for rehearing is denied.
Filed: December 8, 2003

*Before Rushing, P.J., Premo, J., and Elia, J.

Sixth Appellate District

San Jose, California

TUESDAY, DECEMBER 9, 2003

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J.; Mihara, J.; and Jane Valdez Flor, Deputy Clerk.

H024869 PEOPLE v. SMALL

Cause called and argued by Robert L. Angres appearing for Appellant and by Frances Marie Dogan, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025559 PEOPLE v. GARCIA

Cause called and argued by Maryam S. Karson appearing for Appellant and by Catherine A. McBrien, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025035 PEOPLE v. GONZALES

Cause called and argued by Erik G. Babcock appearing for Appellant and by Rene A. Chacon, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H024634 PEOPLE v. MEDINA

Cause called and argued by Meredith Fahn appearing for Appellant and by Allan Yannow, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025032 PEOPLE v. BULLOCK

Cause called and argued by David D. Martin appearing for Appellant and by Margo J. Yu, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H024599 PEOPLE v. RAMOS

Cause called and argued by Maribeth Halloran appearing for Appellant and by Christina Vom Saal, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025436 PEOPLE v. DIAZ

Cause called and argued by Dallas Sacher appearing for Appellant and by Nancy H. Tung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, December 9, 2003 (continued)

H025499 FULKERSON v. COUNTY OF SANTA CRUZ, et al.

Cause called and argued by James Fulkerson appearing in pro per and by Harry A. Oberhelman, Deputy County Counsel, appearing for Respondents. Cause ordered submitted. Court recesses until 1:30 p.m.

H025693 PEOPLE v. CORTEZ

The judgment is reversed. The case is remanded for further proceedings consistent with this opinion. (not published) (Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed December 9, 2003

H025184 PEOPLE v. COMBS

The judgment is affirmed. (not published) (Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed December 9, 2003

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Bamattre-Manoukian, J.; and R. W. Norvelle, Deputy Clerk.

H024443 PEOPLE v. BIRD

Cause called and argued by Lyn A. Woodward appearing for Appellant and by Ann P. Wathman, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H024442 PEOPLE v. BAUTISTA, et al.

Cause called and argued by Rex Williams appearing for Appellant Michael Bautista and by Meredith Fahn appearing for Appellant Dave Bautista and by Catherine A. McBrien, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H026395 In re BAUTISTA on Habeas Corpus

Cause called and argued by Meredith Fahn appearing for Petitioner and by Catherine A. McBrien, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Rushing, P.J. steps down and Elia, J. takes the bench.

Sixth Appellate District

San Jose, California

Tuesday, December 9, 2003 (continued)

H025598 PEOPLE v. NGUYEN

H025003 PEOPLE v. NGUYEN

Cause called and argued by William Robinson appearing for Appellant and by John R. Vance, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025324 GILBERT, et al. v. CITY OF SAN JOSE

Cause called and argued by William Orrick appearing for Appellants and by Colleen Winchester, Deputy City Attorney, appearing for Respondent. Cause ordered submitted. Court stands in adjournment.

H025608 PEOPLE v. SARALLO

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed December 9, 2003

WEDNESDAY, DECEMBER 10, 2003

H024270 FORTE v. CRABB, et al.

By the Court*:

Appellant's petition for rehearing is denied.
Filed: December 10, 2003
*Before Rushing, P.J., Premo, J. and Bamattre-Manoukian, J.

H026135 PEOPLE V. OLIVARES

The judgment is affirmed. (not published)
(McAdams, J.; We concur: Rushing, P.J., Premo, J.)
Filed December 10, 2003

H026018 PEOPLE v. ROBERT B.

The jurisdictional finding is reversed. The case is remanded for the juvenile court to determine whether the offense is a misdemeanor or a felony. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed December 10, 2003

Sixth Appellate District

San Jose, California

Wednesday, December 10, 2003 (continued)

H025350 PEOPLE v. CRAMER

The judgment is modified to strike the parole revocation fine imposed upon defendant in the amount of \$800 pursuant to Penal Code section 1202.45, and to reflect the suspension of the restitution fine imposed upon defendant in the amount of \$800 pursuant to Penal Code section 1202.4. As modified, the judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed December 10, 2003

THURSDAY, DECEMBER 11, 2003

H025032 PEOPLE v. BULLOCK

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed December 11, 2003

H024077 PEOPLE v. JENSEN

The judgment is reversed. (published)

(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)

Filed December 11, 2003

H025520 PEOPLE v. WILLIAMS

The judgment is modified to reflect a total of 417 days of presentence credits. In all other respects, the judgment is affirmed. (not published)

(Mihara, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed December 11, 2003

H025367 PEOPLE v. GOMEZ

The judgment is hereby modified to reduce the restitution fine from \$800 to \$200 and to reduce the punitive fine from \$5,000 to \$100. The trial court is directed to prepare an amended abstract of judgment reflecting these modifications and forward a certified copy of the amended abstract to the Department of Corrections. The modified judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed December 11, 2003

Sixth Appellate District

San Jose, California

Thursday, December 11, 2003 (continued)

H024836 PEOPLE v. SOLANO

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J.,
Mihara, J.)
Filed December 11, 2003

FRIDAY, DECEMBER 12, 2003

H024214 VARIAN MEDICAL SYSTEMS, INC., et al. v. DELFINO, et al.

(Filed order modifying opinion.) Appellants' petition for
rehearing is denied. There is no change in the judgment.
(published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed December 12, 2003